

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2015 Legislative Session

BILL NO. 2015-03

Introduced by: Board of Charles County Commissioners

STREETS, ROADS AND SIDEWALKS

Date introduced: 03 / 03 / 2015

Public Hearing: 04 / 07 / 2015 @ 6:00 p.m.

Commissioners Action: 05 / 12 / 2015

Commissioner Votes: PFM: Y, KR: Y, DD: Y, AS: Y, BR: Y

Pass/Fail: Pass

Effective Date: 06 / 26 / 15

Remarks: _____

NOTE: CAPITALS indicate matter added to existing text.
[Brackets] indicate matter deleted from existing law.

1 **COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

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4 **2015 Legislative Session**

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6 Bill No. 2015-03

7 Chapter. No. 276

8 Proposed by Charles County Planning Division

9 Introduced by Board of Charles County Commissioners

10 Date of Introduction March 3, 2015

11
12 **BILL**

13 AN ACT concerning

14 STREETS, ROADS AND SIDEWALKS

15
16 FOR the purpose of

17 Establishing a Neighborhood Traffic Calming Program.

18
19 BY adding to

20 Chapter 276 – STREETS, ROADS AND SIDEWALKS

21 Article II, Section 276-2 Definitions.

22 Article VII, Section 276-36 Neighborhood Traffic Calming Program

23 Appendix I, Neighborhood Traffic Calming Program

24 *Code of Charles County, Maryland*

25 *(2013 Edition)*

26
27 BY repealing and re-enacting with amendments:

28 Chapter 276 -- STREETS, ROADS AND SIDEWALKS

29 Article III, Sections 276-4 & 276-5

30 Article IV, Section 276-17

31 Article V, Section 276-20 & 276-25

32 *Code of Charles County, Maryland*

33 *(2013 Edition)*

1
2 **SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF**
3 **CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as**
4 **follows:**

5 Chapter 276 – STREETS, ROADS AND SIDEWALKS

6 Article II: Definitions.

7 Section 276-2

8 For the purpose of these regulations, certain terms are defined as follows:

9 **Alley**

10 A private roadway located in the Urban Road Standards District which provides secondary
11 service access for vehicles to the rear or side of abutting properties. The naming of alleys shall
12 end with "alley."

13 **Collector Street**

14 A public roadway which, in addition to providing access to properties abutting thereon, is
15 intended to collect traffic from, or distribute it to, a series of streets within a neighborhood or
16 sub-neighborhood.

17 **County**

18 The term shall mean Charles County, Maryland, a Body Corporate and Politic.

19 **County Highway Engineer**

20 The official designated by the County Commissioners to administer this chapter.

21 **Driveway**

22 A private access road, drive, or land to an individual lot or parcel which is contained within the
23 lot or parcel and is not intended to serve any other lot or parcel of land.

24 **Easement**

25 A strip of land on which a limited right-of-way is provided for one or more designated purposes,
26 without including title to the land.

27 **Entrance**

28 The area within the public right-of-way providing a vehicle connection to a private road, drive or
29 driveway.

30 **Grid Address Numbering System**

31 The mathematical computation of mailing address hundred blocks based on Charles County map,
32 scale 600 feet to the inch.

33 **Hiker/Biker Path**

A pathway physically separated from motorized vehicular traffic by an open space or barrier and either within public right-of-way or within their own right-of-way.

House Number

The mailing address digital number and street name assigned to any structure or parcel of land.

Local Roads

A public roadway contained within a public right-of-way to provide direct access to abutting properties. The naming for local roads shall end with "court," "lane," "street," "avenue," and "way." They are defined as follows:

- A. **Court** - A public roadway that ends in a cul-de-sac contained within a public right-of-way to provide access to properties.
- B. **Street/Lane/Avenue** - A public roadway that is not a court contained within a public right-of-way to provide access to properties.
- C. **Way** - A public roadway contained within a public right-of-way consisting of a small loop, or "horseshoe," with two access points with a maximum depth of 300 feet or a one-way "eye brow" configuration with a maximum depth of 100 feet to provide access to residential dwellings.

Lot Frontage

The distance for which the front boundary line of the lot and the street line are coincident.

Natural Trail

A hiker-biker path through or within Resource Protection Zone, the Chesapeake Bay Critical Area, or other environmentally sensitive areas.

NEIGHBORHOOD TRAFFIC CALMING PROGRAM (NTCP)

A PROGRAM FOR RESIDENTIAL LOCAL AND MINOR COLLECTOR ROADS TO PROMOTE AND ENCOURAGE SAFETY AND LIVABILITY BY REDUCING SPEEDS AND/OR TRAFFIC VOLUMES IN RESIDENTIAL NEIGHBORHOODS. PROGRAM DETAILS ARE CONTAINED IN APPENDIX I OF THIS CHAPTER.

Parcel of Land

Any lot, parcel, dock, pier, or wharf used to identify the site where a dwelling or place of business and/or storage is to be erected, located, or situated.

Pedestrian Travel Way

A travel way designed for exclusive use by pedestrians within public right-of-way or within their own right-of-way.

Private Road

Refers to non-government-maintained roadways. The naming of all private roads shall end with "place." The following are the various types of private roads:

A. **Private Drive** - A private driveway contained within a private easement/right-of-way to provide access to a maximum of five single-family detached dwellings.

B. **Street/Lane/Avenue**

A public roadway that is not a court contained within a public right-of-way to provide access to properties.

C. **Way**

A public roadway contained within a public right-of-way consisting of a small loop, or "horseshoe," with two access points with a maximum depth of 300 feet or a one-way "eye brow" configuration with a maximum depth of 100 feet to provide access to residential dwellings.

Property

A building, structure, or parcel of land or the combination of any of the above.

Public Road

Refers to government-maintained roadways.

Public Utility

A business or service which is engaged in regularly supplying a commodity or service of public need such as electricity, gas, water, sewer, and telephone.

Public Right-of-Way

Grants fee simple title for continuous access through, over, under, and across property.

SPEED CONTROL MEASURES

MEASURES USED TO CONTROL SPEED IN RESIDENTIAL NEIGHBORHOODS.

DURING THE ROAD DESIGN PROCESS THIS MAY INCLUDE ROAD CURVATURE, BREAKS IN ROAD CONTINUITY (FOR EXAMPLE: ROADS THAT END IN A T-INTERSECTION INSTEAD OF LONG, THROUGH ROADS), TRAFFIC CIRCLES AND ROUNDABOUTS. IT MAY ALSO INCLUDE LEVEL 2 TRAFFIC CALMING MEASURES AS DESCRIBED IN THE NEIGHBORHOOD TRAFFIC CALMING PROGRAM (NTCP) CONTAINED IN APPENDIX I OF THIS CHAPTER.

* * * * *

Chapter 276 – STREETS, ROADS AND SIDEWALKS

Article III: Minimum Design Requirements.

Section 276-4. Design Controls.

NOTE: CAPITALS indicate language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** mean intervening code language remaining unchanged.

- 1 * * * * *
- 2 B. Design speed.
- 3 (1) Design speed is the maximum safe speed that can be maintained over a given
- 4 section of road when the traffic volume is so low that the geometrics of the
- 5 roadway control speed. All elements should be in balance consistent with a
- 6 specified design speed. Stopping sight distance, horizontal and vertical alignment,
- 7 and superelevation are among the roadway elements which are controlled by
- 8 design speed. The minimum design values for the various elements required for a
- 9 given design speed should be used only where controls such as topography and
- 10 property damages dictate their use. [However, on] ON local AND MINOR
- 11 COLLECTOR residential streets it is desirable to keep speeds low, and care must
- 12 be exercised that the design does not encourage high speeds without sacrificing
- 13 any of the design standards included herein. SPEED CONTROL MEASURES
- 14 SHALL BE INCORPORATED INTO THE DESIGN OF ALL RESIDENTIAL
- 15 LOCAL AND MINOR COLLECTOR ROADS LONGER THAN 1500 FEET
- 16 WHICH ARE LOCATED WITHIN THE DEVELOPMENT DISTRICT.
- 17 (2) Unless otherwise approved by the County, the minimum design speeds listed in
- 18 Tables 2.01.01 and 2.01.02 shall be used for the design of roads. For existing
- 19 County roads whose classification is unknown the design speed shall be the
- 20 posted speed plus 10 mph.

21 * * * * *

22 Section 276-5. Horizontal and vertical alignment.

23 * * * * *

24 D. General controls for horizontal alignment. In addition to the specific criteria presented in

25 previous sections, the following general controls shall be utilized:

- 26 (1) In selecting the alignment for a given design speed, use of the maximum
- 27 curvature (I.E. MINIMUM RADIUS) for that speed should be avoided EXCEPT
- 28 WHERE BENEFICIAL FOR TRAFFIC CALMING PURPOSES.

29 * * * * *

30 Chapter 276 – STREETS, ROADS AND SIDEWALKS

31 Article IV: Drainage.

32 Section 276-17. Storm drainage.

Storm drainage shall be designed in conformance with the STORM DRAINAGE ORDINANCE AND THE Stormwater Management Ordinance [,Section 7.5].

Chapter 276 – STREETS, ROADS AND SIDEWALKS

Article V: Permits.

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Section 276-20. Fees.

A. Permit Fee. [The fee for issuance of a permit for road improvements and the inspection of the work shall be as contained in the latest] THE COUNTY SHALL HAVE THE AUTHORITY BY VIRTUE OF THIS ORDINANCE TO CHARGE FEES FOR ROAD-RELATED PERMITS, ALL PLAN REVIEWS OR OTHER REVIEWS, INSPECTION, VARIANCES, ADMINISTRATION COSTS, RE-INSPECTION FEES, MINIMUM INSPECTION FEES, ADDITIONAL INSPECTION FEES DUE TO PERMIT EXTENSIONS, AND ANY OTHER COSTS ASSOCIATED WITH WORK WITHIN A PUBLIC ROAD RIGHT-OF-WAY. FEE AMOUNTS SHALL BE DETERMINED AS SPECIFIED IN THE COUNTY’S Fees and Charges Schedule.]

* * * * *

Section 276-25. Transitional provisions.

- A. The requirements established in this chapter shall not apply to any construction proposed pursuant to a valid permit issued prior to [July 3, 2011] INSERT ADOPTION DATE.
- B. The requirements established in this chapter shall not apply to pending permit applications provided these permit applications were submitted prior to [July 3, 2011] INSERT ADOPTION DATE, are issued permits within 60 days of [July 3, 2011] INSERT ADOPTION DATE, and that some manifest commencement of work is undertaken within six months of the date of the issued permit.
- C. THE REQUIREMENTS ESTABLISHED IN ARTICLE VII, SECTION 276-36 OF THIS CHAPTER (TRAFFIC CALMING FOR NEW RESIDENTIAL SUBDIVISION ROADS) SHALL NOT APPLY TO PERMIT APPLICATIONS SUBMITTED PRIOR TO (INSERT DATE FOUR YEARS AFTER ADOPTION DATE) PROVIDED THAT THE PRELIMINARY PLAN OF SUBDIVISION WAS APPROVED BY THE PLANNING COMMISSION PRIOR TO THE EFFECTIVE DATE OF THESE REGULATIONS OR THE PRELIMINARY PLAN OF SUBDIVISION WAS APPROVED WITHIN SEVENTY (70) DAYS OF THE EFFECTIVE DATE.

Chapter 276 – STREETS, ROADS AND SIDEWALKS

Article VII. NEIGHBORHOOD TRAFFIC CALMING PROGRAM.

SECTION 276-36. NEW RESIDENTIAL SUBDIVISION ROADS.

- A. ROADWAYS PLANNED WITHIN NEW RESIDENTIAL SUBDIVISIONS SHALL INCLUDE STREET GEOMETRICS THAT MAKE ROADS LESS DESIRABLE FOR SPEEDING AND CUT-THROUGH TRAFFIC. SPEED CONTROL MEASURES WITHIN RESIDENTIAL NEIGHBORHOODS IN THE DEVELOPMENT DISTRICT SHALL BE INCORPORATED INTO THE DESIGN OF ALL LOCAL AND MINOR COLLECTOR ROADS LONGER THAN 1500 FEET. THE HIGHWAY ENGINEER MAY ALSO REQUIRE EVALUATION OF THE NEED FOR SPEED CONTROL MEASURES ON OTHER PROPOSED ROADWAYS. SPEED CONTROL MEASURES FOR NEW NEIGHBORHOOD RESIDENTIAL STREETS SHALL CONSIST OF A COMBINATION OF ANY OF THE FOLLOWING PREFERRED MEASURES:
- (1) ROAD CURVATURE;
 - (2) BREAKS IN ROAD CONTINUITY, SUCH AS T-INTERSECTIONS;
 - (3) TRAFFIC CIRCLES, AND
 - (4) ROUNDABOUTS.
- B. ADDITIONAL TYPES OF SPEED CONTROL MEASURES, SUCH AS SPEED HUMPS, CHOKERS, CENTER MEDIANS OR OTHER TRAFFIC CALMING MEASURES, MAY BE ALLOWED BY THE HIGHWAY ENGINEER ON A CASE-BY-CASE BASIS WHERE PREFERRED SPEED CONTROL MEASURES ARE NOT PRACTICAL.
- C. SPEED CONTROL, POINTS SHALL BE SPACED APPROXIMATELY 500' APART ON LOCAL ROADS AND 600' APART ON MINOR COLLECTOR ROADS. THE MAXIMUM SPACING BETWEEN SPEED CONTROL POINTS SHALL BE 750'.
- D. A SPEED CONTROL POINT IS DEFINED AS THE LOCATION OF ANY ONE OF THE FOLLOWING:
- (1) ANY DESIGN CONDITION THAT REQUIRES A COMPLETE STOP, SUCH AS AT A T-INTERSECTION. UNWARRANTED STOP-SIGN CONTROL AT AN INTERSECTION WILL NOT BE PERMITTED; OR

- 1 (2) A HORIZONTAL CURVE WITH A DEFLECTION ANGLE OF 51 DEGREES
2 OR GREATER AND A MAXIMUM RADIUS OF 175 FEET FOR LOCAL
3 ROADS AND 300 FEET FOR MINOR COLLECTOR ROADS; OR
4 (3) A SPEED CONTROL MEASURE, AS IDENTIFIED AS A LEVEL II TRAFFIC
5 CALMING MEASURE IN APPENDIX I. THE TYPE OF MEASURE AND
6 DESIGN IS SUBJECT TO REVIEW AND APPROVAL BY THE HIGHWAY
7 ENGINEER.

8 E. WHERE PROPOSED RESIDENTIAL SUBDIVISIONS PROVIDE ROADWAY
9 CONNECTIONS TO EXISTING RESIDENTIAL NEIGHBORHOODS, AN
10 EVALUATION OF THE NEED FOR SPEED CONTROL MEASURES ALONG THE
11 ACCESS ROUTE THROUGH THE EXISTING NEIGHBORHOOD MAY BE
12 REQUIRED BY THE HIGHWAY ENGINEER. WHERE WARRANTED, THE
13 DEVELOPER SHALL INSTALL TRAFFIC CALMING MEASURES AS DESCRIBED
14 IN THE NEIGHBORHOOD TRAFFIC CALMING PROGRAM (NTCP) CONTAINED
15 IN APPENDIX I OF THIS CHAPTER.

16 SECTION 276-37. EXISTING RESIDENTIAL SUBDIVISION ROADS.

17 A. EXISTING RESIDENTIAL NEIGHBORHOOD ROADS MAY QUALIFY FOR SPEED
18 CONTROL MEASURES IN ACCORDANCE WITH THE CRITERIA IDENTIFIED IN
19 THE NEIGHBORHOOD TRAFFIC CALMING PROGRAM CONTAINED IN
20 APPENDIX I OF THIS CHAPTER. THIS PROGRAM ALSO DEFINES THE
21 PROCESS FOR COMMUNITY APPROVAL, DESIGN, AND PRIORITIZATION FOR
22 CONSTRUCTION.

23 * * * * *

24 APPENDIX I

25 Neighborhood Traffic Calming Program is included as an attachment to this Chapter.

26

27 **SECTION 2.** BE IT FURTHER ENACTED, that Appendix I, Neighborhood Traffic Calming
28 Program is attached hereto are made apart hereof.

29

30 **SECTION 3.** BE IT FURTHER ENACTED, that this act shall take effect forty-five (45)
31 calendar days after it becomes law and after funding for the program is made available for
32 program implementation.

33

ADOPTED this 12th day of May, 2015.

COUNTY COMMISSIONERS
CHARLES COUNTY, MARYLAND

Peter F. Murphy
Peter F. Murphy, President

Ken Robinson
Ken Robinson, Vice President

Debra M. Davis
Debra M. Davis, Esq.

Amanda Stewart
Amanda Stewart

Bobby Rucci
Bobby Rucci

ATTEST:

Danielle E. Mitchell
Danielle E. Mitchell, Clerk to the Commissioners